



Steven Choi
Mayor / Chair

Jeffrey Lalloway
Mayor Pro Tem / Vice Chair

Larry Agran
Councilmember / Boardmember

Beth Krom
Councilmember / Boardmember

Christina Shea
Councilmember / Boardmember

MINUTES

**CITY COUNCIL
REGULAR MEETING
AND
REGULAR JOINT MEETING
WITH THE CITY OF IRVINE AS
SUCCESSOR AGENCY TO THE
DISSOLVED
IRVINE REDEVELOPMENT AGENCY**

**August 26, 2014
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606**

CALL TO ORDER

The regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:08 p.m. on August 26, 2014 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor / Chair Choi presiding.

ROLL CALL

Present:	5	Councilmember/Boardmember:	Larry Agran
		Councilmember/Boardmember:	Beth Krom
		Councilmember/Boardmember:	Christina Shea
		Mayor Pro Tempore/Vice Chair	Jeffrey Lalloway
		Mayor/Chair:	Steven Choi

RECESS

City Attorney Litfin announced the Closed Session item, following which Mayor Choi convened the regular City Council meeting to Closed Session at 4:09 p.m. There were no public comments related to the Closed Session item.

1. CLOSED SESSION

1.1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION *Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4) (one case)*

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 5:03 p.m. City Attorney Litfin, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Councilmember Agran led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Choi asked for a moment of silence in memory of youth basketball coach Wally Wong of Irvine, who passed away suddenly in July. Mayor Pro Tempore Lalloway suggested that the meeting be adjourned in Coach Wong's memory.

INVOCATION

Mayor Choi invited Pastor Jody Bartell from Free Chapel OC in Irvine to provide the invocation.

MUSICAL PRESENTATION

Mayor Choi introduced the Fun Time students and Children's Choir from the Irvine School of Music, who performed "Mary Had a Little Lamb" followed by a combined medley of "My America" and "America the Beautiful."

2. PRESENTATIONS

2.1 *Receive a Presentation by Irvine Ranch Water District on Statewide Emergency Drought Regulations*

Mayor Choi introduced Irvine Ranch Water District President Steve Lamar, General Manager Paul Cook, and Executive Director of Water Policy Paul Weghorst, who provided a presentation on Statewide Emergency Drought Regulations.

CITY MANAGER'S REPORT

City Manager Joyce announced that the Purchasing Section of the Administrative Services Department earned the Achievement of Excellence Procurement Award for 2014. The City of Irvine is one of only 46 government agencies in California, and one of only 68 cities in the United States, to receive this important award.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Councilmember Krom, as the City's representative on the Orange County Vector Control District Board of Directors, provided a report on West Nile Virus in Orange County and provided recommendations to avoid being infected by mosquitos. For additional information on West Nile Virus, visit cityofirvine.org. A short video was also presented, which was placed on the City's website at cityofirvine.org/ictv.

Councilmember Agran made the following announcements:

- Assembly Bill 1453 establishing a Veterans Cemetery in Orange County has successfully made it through the State Legislature and is on its way to the Governor for signature.
- Correspondence received by Stu Mullrich of Forde and Mullrich suggested unethical conduct by Special Counsel at the August 20, 2014 special meeting. Councilmember Agran asked that the City Manager prepare a report at or before the next City Council meeting reflecting that the facts of the matter are properly established.

Mayor Pro Tempore Lalloway and Councilmember Shea, on behalf of the Great Park Audit Subcommittee, provided brief reports on Forde & Mullich's non-compliance in the audit process and noted that Special Counsel would proceed with seeking further legal action.

Mayor Pro Tempore Lalloway also announced that the Sand Canyon grade separation at the Metrolink Railroad is now open to motorists in both directions.

Mayor Choi also made the following announcements:

- September is National Preparedness Month, a FEMA-sponsored outreach campaign designed to remind citizens to prepare for, and know how to, respond to emergencies. For information, visit cityofirvine.org/prepare.
- The City's 13th annual Global Village Festival will take place on Saturday, September 27 from 10 a.m. to 6 p.m. at Bill Barber Park. For information, visit irvinefestival.org or call 949-724-6606.

ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

CONVENE TO THE REGULAR JOINT MEETING

Mayor / Chair Choi convened to the regular joint meeting with the Successor Agency at 6:07 p.m.

3. CONSENT CALENDAR

ACTION: Moved by Councilmember/Boardmember Krom, seconded by Mayor Pro Tempore/Vice Chair Lalloway, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.12 and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2, with the exception of City Council Consent Calendar Item Nos. 3.7, 3.8 and 3.13, which were removed for separate discussion.

3.1 MINUTES

ACTION:

- 1) Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on July 22, 2014.
- 2) Approved the minutes of a special meeting of the Irvine City Council held on August 12, 2014.

3.2 PROCLAMATIONS

ACTION:

Proclaimed September 2014 as "Childhood Cancer Awareness Month."

3.3 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 14-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3.4 WARRANT AND WIRE TRANSFER RESOLUTION – AT&T

ACTION:

Adopted RESOLUTION NO. 14-97 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Krom abstained.

3.5 WARRANT AND WIRE TRANSFER RESOLUTION - BANK OF AMERICA

ACTION:

Adopted RESOLUTION NO. 14-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS OF BANK OF AMERICA AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Agran abstained.

3.6 ACCEPTANCE OF TARGET GRANT FOR NATIONAL NIGHT OUT

ACTION:

- 1) Accepted a Target grant for the National Night Out program in the amount of \$1,000.
- 2) Approved a budget adjustment request in the amount of \$1,000, reflecting an increase in revenues and appropriations.

3.7 CULVER/UNIVERSITY INTERSECTION IMPROVEMENT PROJECT

This item was removed for separate discussion at the request of Councilmember Agran, who highlighted the importance and need for intersection improvements at Culver and University. Manuel Gomez, Director of Public Works, and Eric Tolles, Director of Community Development, responded to questions.

City Council discussion included: potential increase in traffic for commuters to and from Newport Beach and Interstate 405; whether development in neighboring cities was a determining factor in widening the intersection; and using North Irvine Transportation Mitigation (NITM) funding for the project and what areas are included within NITM boundaries.

ACTION: Moved by Councilmember Agran, seconded by Mayor Choi, and unanimously carried to:

Adopt RESOLUTION NO. 14-99—A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA APPROVING THE PROJECT REPORT AND CERTIFYING THE MITIGATED NEGATIVE DECLARATION FOR THE CULVER/UNIVERSITY INTERSECTION IMPROVEMENT PROJECT

3.8 RESPONSE TO ORANGE COUNTY GRAND JURY REPORT “ORANGE COUNTY CITY PENSION LIABILITIES; BUDGET TRANSPARENCY CRITICALLY NEEDED”

This item was removed for separate discussion at the request of Councilmember Agran, who read into the record excerpts from the draft response letter from the City to the Orange County Grand Jury.

City Council discussion included: concurrence on the importance of the accelerated pension payment plan to the California Public Employees Retirement System (CalPERS).

ACTION: Moved by Councilmember Agran, seconded by Councilmember Shea, and unanimously carried to:

Approve the draft response to the 2013-14 Orange County Grand Jury report entitled, “Orange County City Pension Liabilities; Budget Transparency Critically Needed” and authorize the Mayor’s signature for submittal to the Presiding Judge of the Orange County Superior Court by the statutory deadline of September 23, 2014.

3.9 ORANGE COUNTY GREAT PARK INTERIM INFRASTRUCTURE CAPITAL IMPROVEMENT PROJECT

ACTION:

- 1) Approved plans, specifications, and contract documents for the Orange County Great Park Interim Infrastructure Capital Improvement Project (CIP) 371405.
- 2) Approved the Engineer's Estimate, Construction Contingency, and Funding Summary, and authorize staff to solicit competitive bids for construction in accordance with the City's purchasing policies and procedures.
- 3) Approved a \$1,300,000 budget adjustment to fund the construction phase.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent).

Approved 5-0

3.10 RESOLUTIONS AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED AND NON-REPRESENTED EMPLOYEES

ACTION:

- 1) Adopted RESOLUTION NO. 14-100 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AUTHORIZING FULL-TIME POSITIONS IN ACCORDANCE WITH THE PROVISIONS OF COMPENSATION RESOLUTIONS AND THE OPERATING BUDGET FOR THE 2014-15 FISCAL YEAR, AND SUPERSEDING RESOLUTION NO. 14-75, WHICH IS INCONSISTENT THEREWITH
- 2) Adopted RESOLUTION NO. 14-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ESTABLISHING THE SALARY GRADE ORDER STRUCTURE AND SALARY RANGES FOR EMPLOYEES OF THE CITY OF IRVINE, AND SUPERSEDING RESOLUTION NO. 14-76, WHICH IS INCONSISTENT THEREWITH

3.11 COMMUNITY PARTNERSHIP GRANT NOMINATIONS

ACTION:

- 1) Approved Councilmember Agran's request for Community Partnership Fund Grant nomination to the Orange County Veterans Employment Committee.
- 2) Approved Councilmember Krom's request for Community Partnership Fund Grant nomination to the Orange County Veterans Employment Committee.
- 3) Approved Mayor Pro Tem Lalloway's request for Community Partnership Fund Grant nomination to the Amyotrophic Lateral Sclerosis (ALS) Association of Orange County.
- 4) Approved Mayor Choi's request for Community Partnership Fund Grant nomination to the Orange County Veterans Employment Committee.
- 5) Approved Councilmember Shea's request for Community Partnership Fund Grant nominations to Lupus LA and Rainbow Rising Alderwood.
- 6) Authorized the City Manager to prepare and sign funding agreements for each organization listed in Actions 1 through 5.

3.12 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN ORCHARD HILLS AND CYPRESS VILLAGE

ACTION:

Received and filed.

3.13 ADVENTURE PLAYGROUND RENOVATION PROJECT

This item was removed at the request of Alex Hillenbrand, Defenders of Adventure Playground, who spoke in support of the latest renovation project.

Benjamin Braun submitted a Request to Speak card but did not speak.

City Council discussion included: subsequent removal of additional water features approved by the Community Services Commission and if such features could be added at a later time if funding became available.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Councilmember Krom, and unanimously carried to:

- 1) Approve the plans, specifications, and contract documents for Adventure Playground Renovation Project, Capital Improvement Project (CIP) 371104.

- 2) Approve the Engineer's Estimate, Construction Contingency, and Funding Summary, and authorize staff to solicit competitive bids for construction in accordance with the City's purchasing policies and procedures.

4. CONSENT CALENDAR - SUCCESSOR AGENCY

4.1 MINUTES

ACTION:

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency and the Irvine City Council held on July 22, 2014.

4.2 *ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JANUARY 1, 2015 THROUGH JUNE 30, 2015*

ACTION:

- 1) Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for January 1, 2015 through June 30, 2015, and authorized revisions to the reporting format, if needed to comply with potential form changes by the State of California Department of Finance.
- 2) Adopted the administrative budget for the Successor Agency for January 1, 2015 through June 30, 2015.

PUBLIC COMMENT - SUCCESSOR AGENCY

There were no public comments.

ADJOURNMENT – REGULAR JOINT MEETING

Moved by Councilmember / Boardmember Shea, seconded by Mayor Pro Tempore / Vice Chair Lalloway, and unanimously carried to adjourn the regular joint meeting with the Successor Agency at 6:32 p.m.

RECONVENE TO THE REGULAR CITY COUNCIL MEETING

Mayor Choi reconvened the regular City Council meeting at 6:33 p.m.

5. PUBLIC HEARINGS

5.1 ADOPTION OF SECTION 21107.7 OF THE CALIFORNIA VEHICLE CODE TO CERTAIN PRIVATELY OWNED AND MAINTAINED ROADS WITHIN THE COBBLESTONE OAK CREEK COMMUNITY ASSOCIATION

Mayor Choi noted a potential conflict-of-interest due to the proximity of real property owned and left the dais at 6:51 p.m. Mayor Pro Tempore Lalloway took over as presiding officer.

Julia Engen, Police Commander / Public Information Officer, and Tom Allan, Police Lieutenant, provided the staff report and responded to questions.

Mayor Pro Tempore Lalloway opened the public hearing at 6:54 p.m.

Jeff Tevis, resident of Irvine and Cobblestone Oak Creek, spoke in support of the recommended action, citing safety concerns with motorists speeding through the community.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Krom, and unanimously carried by those members present (Mayor Choi absent) to close the public hearing at 6:57 p.m.

City Council discussion included: ability for other gated communities to request routine patrol and enforcement of private streets; outreach and partnerships with citizens to promote community safety; clarification of the term "respond for service;" and how adoption of the proposed recommended action impacts public safety and support overall.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, to:

Adopt RESOLUTION NO. 14-102 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPLYING TRAFFIC AND PARKING PROVISIONS OF THE VEHICLE CODE OF CALIFORNIA TO CERTAIN PRIVATELY OWNED AND MAINTAINED ROADS WITHIN THE COBBLESTONE OAK CREEK COMMUNITY ASSOCIATION

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Agran, Krom, Shea and Lalloway

NOES: 0 COUNCILMEMBERS: None

ABSENT: 1 COUNCILMEMBERS: None

Mayor Choi returned to the dais at 7:16 p.m.

6. COUNCIL BUSINESS

6.1 **MILITARY BANNER PROGRAM**

Mya Sanders, Community Services Superintendent, provided the staff report and responded to questions.

Kevin Trussell, Community Services Commission Chair, and Lynn Schott, Planning Commission Vice Chair, spoke in support of the proposed Military Banner Program.

City Council discussion included: similar programs in other cities; how banners would be included in the rotation process with other banner programs; recognition of all active military members vs. only those engaged in conflict; potential misinterpretation by members of the community that such banners represented only those who have fallen; disclosure of service information on Irvine military personnel by the United States Armed Forces; criteria for selection; outreach to the community and how residents participate; number of banners allowed per individual; ability to expand the program in the future if necessary; and installation of banners in various locations throughout the City.

ACTION: Moved by Mayor Pro Tempore Lalloway, seconded by Mayor Choi, and unanimously carried* to:

Approve Military Banner Program as a component of the existing City Streetlight Banner Program.

* Councilmember Krom was absent from the dais when the vote was taken; however, she arrived shortly thereafter and reiterated her support of the Military Banner Program, and asked that her vote be recorded in the affirmative.

6.2 CONSIDERATION OF COUNCILMEMBER SHEA'S REQUEST REGARDING AFFORDABLE HOUSING OPTIONS FOR VETERANS

This item was agendized at the request of Councilmember Shea, who provided a brief history on the Veterans Cemetery Ad Hoc Committee and her request for its consideration of affordable housing options for veterans. She suggested referring the matter to the Planning Commission for its establishment of a subcommittee to further explore the matter.

Ronnie Guyer and Chase Wickerham spoke in support of affordable housing for veterans.

Robert Brower spoke about the passage of Assembly Bill 1453 by the State Legislature for a Veterans Cemetery and Memorial Park in Orange County, and thanked the Veterans Cemetery Ad Hoc Committee and the City Council for their support. He also spoke in support of reconvening the Ad Hoc Committee to consider affordable housing options for veterans.

City Council discussion included: creation of affordable housing for all demographics by the Irvine Community Land Trust; Proposition 41 funding, including restrictions and conditions; reconvening the Veterans Cemetery Ad Hoc Committee with the purpose of examining affordable housing for veterans; and establishment of a new subcommittee to consider affordable housing options for veterans including committee structure alternatives.

ACTION: Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to:

Direct the City Manager to return to the September 9, 2014 City Council meeting with recommendations for the proposed structure of a subcommittee to address affordable housing options for veterans.

6.3 CONSIDERATION OF COUNCILMEMBER AGRAN'S REQUEST REGARDING IRVINE ADULT DAY HEALTH SERVICES MATCHING GRANT REQUEST

This item was agendized at the request of Councilmember Agran, who requested City Council consideration of a matching sponsorship for Irvine Adult Day Health Services (IADHS).

City Council discussion included: IADHS upcoming 20th Anniversary celebration; funding grant by Hoag Hospital; and whether a challenge grant from the City would be allocated from the General Fund or a Special Fund; and the City's continued partnership with IADHS.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Shea, and unanimously carried to:

Approve a \$20,000 challenge grant to Irvine Adult Day Health Services in support of its 20th Anniversary celebration.

PUBLIC COMMENTS

Sandra Crowley spoke in opposition to the content in the Irvine Community News and Views political advertisement.

Ilya Tseglin spoke about a domestic issue concerning his autistic son and continued legal issues.

Michael Klubnikin spoke on behalf of his friend, Ilya Tseglin, who continues to seek legal assistance for a domestic issue related to his autistic son.

Reverend Dr. Paul Tellestrom, Senior Pastor of Irvine Congregational Church, and Shirley Lorenz, spoke in opposition to invocations at City Council meetings.

Steve Greenberg spoke about testimony provided in Assistant City Manager Ellzey's deposition related to the Orange County Great Park Audit, and in opposition to the content provided in the Irvine Community News and Views political advertisement.

ADJOURNMENT – IN MEMORIAM

Moved by Councilmember Shea, seconded by Mayor Pro Tempore Lalloway, and unanimously carried to adjourn the meeting in memory of Youth Basketball Coach Wally Wong at 8:11 p.m.


MAYOR OF THE CITY OF IRVINE


CITY CLERK OF THE CITY OF IRVINE

September 9, 2014